

REMARKS

The requirement for restriction interposed in the present application separates the claims into two purportedly separate inventions: Class I (claims 1-16) and Class II (claims 17-22).

Provisional Election With Traverse

Applicant provisionally elects to prosecute the Class I claims, claims 1-16, with traverse, and without prejudice to prosecuting the Class II claims, claims 17-22, in the present application or in a later application.

The Restriction Requirement Is Improper

Applicant respectfully submits that the stated reason for the restriction requirement, that "the process as claimed can be practiced by another materially different apparatus such as one that does not require a compressible arm cantilevered from the body," is incorrect and misapprehends the claimed invention.

For example, apparatus claim 1 is not limited to "a compressible arm cantilevered from the body," but rather describes a tip tool having a body sized to fit over at least a portion of a tip and a tip holding element disposed in contact with the tip tool body for releasably engaging the tip. Nowhere does claim 1 require the presence specifically of a cantilevered compressible arm. Indeed, Applicant's written description, at paragraph 28 (p. 6, lns. 8-14), for example, expressly describes other tip holding elements for releasably engaging a tip according to the invention.

Similarly, method claims 17 and 20 are not limited to the inclusion of a cantilevered compressible arm. Claims 17 and 20 describe methods for attaching or detaching a tip, "wherein the tip tool comprises a tip tool body and at least one tip holding element disposed

in contact with the tip tool body for releasably engaging the tip" (emphasis added). As with claim 1, method claims 17 and 20 do not require the presence specifically of a cantilevered compressible arm.

Thus, Applicant respectfully submits that the basis for the restriction requirement is erroneous, and that no showing has been made that "(A) the process of using as claimed can be practiced with another materially different product; or (B) the product as claimed can be used in a materially different process." M.P.E.P. §806.05(h).

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Authorization To Charge Necessary Fees

While no fee is believed due with this submission, the Commissioner is hereby authorized to charge any necessary fees associated with this submission, or credit any overpayment, to Deposit Account No. 50-0289.

Respectfully submitted,

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